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Paper No. 16

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AUG 20 2002

OFFICE OF PETITIONS
ON PETITION

In re Application of :
John M. Nuss et al :
Application No. 09/738,066 :
Filed: December 15, 2000 :
Attorney Docket No. CHIR118196 :

This is a decision on the petition, filed by facsimile transmission on August 19, 2002, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on July 9, 2002 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the application will be forwarded to Technology Center AU 1624 for processing of the request for continued examination under 37 CFR 1.114.

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. **Failure to timely request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.**



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COMMISSIONER FOR PATENTS
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Paper No. 17

Date : August 20, 2002
TO : Director, Office of Publication and Dissemination
FROM : Office of the Deputy Commissioner
for Patent Examination Policy
SUBJECT : Withdrawal from Issue of
Applicant(s) : John M. Nuss et al
Application No. : 09/738,066
Filed : December 15, 2000

The above-identified application has been assigned Patent No. 6,440,977 and an issue date of August 27, 2002.

It is hereby directed that this application be withdrawn from issue at the request of the applicant.

Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of August 27, 2002:

"All reference to Patent No. 6,440,977 to John M. Nuss et al of California for BICYCLIC INHIBITORS OF GLYCOGEN SYNTHASE KINASE 3 appearing in the Official Gazette of August 27, 2002 should be deleted since no patent was granted."

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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